

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1, 4-6, 8-11, 14, 16, 17, 19, 20 and 23 have been amended. Claims 7, 15, 21 and 22 have been canceled. Claims 1, 2, 4-6, 8-11, 13, 14, 16, 17, 19, 20 and 23-26 are now pending in the application. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein.

Rejection Under 35 U.S.C. § 102(e) - Berger et al.

Claims 1, 2, 4, 9, 11, 17 and 23 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Berger et al. (U.S. Patent Number 6,414,693; hereinafter "Berger"). The rejection is respectfully traversed.

Regarding amended claim 1, Applicant's claimed invention relates to a user's request reflecting design system including a design data publicizing means, a correction data receiving means, and a design assisting means. The design data publicizing means includes public design data, an editing program file, and a design data publicizing processing unit. The correction data receiving means includes a data base and a received mail processing unit. The received mail processing unit classifies the attached correction data and registers the correction data in the data base based on personal information of a user recited in an electronic mail received by the received mail processing unit.

Applicant respectfully submits that the disclosure of Berger does not anticipate the claimed invention. Berger discloses a system for designing and ordering customized articles. However, there is no teaching or suggestion in Berger of, *inter alia*, a correction data receiving

means which includes “a data base for registering said correction data, and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base, said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail,” as recited by claim 1.

Furthermore, the Examiner has admitted to the deficiencies of Berger, stating in paragraph 5-1 of page 7 of the Office Action that “Berger et al. fail to expressly disclose (1) said correction data receiving means including a data base for registering said correction data, and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base; and (2) said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail.”

At least by virtue of the aforementioned differences, Applicant’s claim 1 distinguishes over Berger. Applicant’s claims 11 and 17 are related independent method and server apparatus claims, and are distinguished over Berger for analogous reasons. Claims 2 and 4 are dependent claims including all of the elements of independent claim 1, which as established above, distinguish over Berger. Therefore, claims 2 and 4 are patentable over Berger for at least the aforementioned reasons as well as for their additionally recited features.

Regarding claim 9, the claimed invention relates to a user’s request reflecting design system for timely and accurately reflecting users’ requests on a product, comprising design data publicizing means, correction data receiving means, and design assisting means. The design data

publicizing means includes public design data, an editing program file, and a design data publicizing processing unit. The design data publicizing processing unit includes information entry selecting means allowing a user to select either information entry in the form of a menu or transfer of the public design data and an editing program file.

The Examiner has alleged in paragraph 3-4 of page 4 of the Office Action that Berger further discloses the claimed design data publicizing processing unit, and has relied on column 6, lines 48-52 of Berger for this teaching. Although Berger's screen display (700) as shown in FIG. 7 is generated upon clicking both buttons (606) and (608) of the screen (600) shown in FIG. 6, such a generation of the screen display (700) only provides a customization screen. Berger's screen display (700) generated by clicking both buttons (606 and 608) does not allow a user to "select either information entry in the form of a menu or transfer of said public design data and an editing program file," as claimed. Berger thus still fails to teach or suggest the allowance of a user to select from either information entry in the form of a menu or transfer of public design data and editing program file. There is no teaching or suggestion in Berger of the possibility of selecting information entry in the form of a menu. Although Berger's screen block (602) in FIG. 6 provides for entry of a catalog identifier, and buttons (606 and 608) may be clicked, neither of these two actions would amount to an information entry selecting means which allows selection of information entry in the form of a menu or transfer of public design data and editing program file. Such a selection as recited by claim 9 is thus not taught or suggested by Berger.

At least by virtue of the aforementioned differences, Applicant's claim 9 distinguishes over Berger. Applicant's claim 23 is a related independent server apparatus claim, and is

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distinguished over Berger for analogous reasons. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) are respectfully requested.

Rejection Under 35 U.S.C. § 103(a) - Berger et al in view of Suda et al.

Claims 5-8, 10, 13-16, 19-22 and 24-26 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Berger in view of Suda et al. (U.S. Patent Number 6,279,000; "Suda"). The rejection is respectfully traversed.

As discussed above in reference to claims 1, 11 and 17, Berger fails to teach or suggest, *inter alia*, a correction data receiving means which includes "a data base for registering said correction data, and a received mail processing unit for receiving an electronic mail to which said correction data is attached and registering and storing said correction data in said data base, said received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail," as recited by claim 1.

Suda does not remedy the deficiencies of Berger. Suda discloses the extraction of an item from a received electronic mail. Although the Examiner relies on Suda for the teaching of extracting and storing an item concerning a schedule from contents of an analyzed electronic mail, Suda merely extracts these schedule items and stores them. There is no teaching or suggestion in Suda of "classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail," as recited by claim 1. Suda stores the extracted item as a user's schedule, however, this storing of a

user's schedule is not based on any personal information of a user, nor is there any personal information recited in Suda's received electronic mail.

The Examiner has further suggested that Berger's database "is organized so that each unique user of the service is defined as an 'entity' 200 ... and the customized bag order can be associated with a given client and confirmed by return e-mail." However, the mere mention in Berger of associated entities and a confirmation e-mail in view of Suda's storage of extracted schedule items as a user's schedule fails to teach or suggest a "received mail processing unit classifying said correction data attached and registering said correction data in said data base based on personal information of a user recited in said electronic mail," as claimed (emphasis added). Berger's disclosure of a confirmation e-mail along with Suda's separate disclosure of storing extracted schedule items does not suggest classifying correction data and registering the correction data based on personal information of a user recited in the electronic mail. *There lacks any suggestion in either Berger or Suda of performing functions based on personal information of a user recited in an electronic mail to which correction data is attached.* Therefore, Berger and Suda, either alone or in combination, fail to teach or suggest the claimed invention as recited by claim 1.

At least by virtue of the aforementioned differences, Applicant's claims 1, 11 and 17 distinguish over Berger in view of Suda. Applicant's claims {5-8, 10 and 24}, {13-16 and 25}, and {19-22 and 26} are dependent claims including all of the elements of independent claims 1, 11 and 17 respectively, which as established above, distinguishes over Berger in view of Suda. Therefore, claims 5-8, 10, 13-16, 19-22 and 24-26 are patentable over Berger in view of Suda for

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at least the aforementioned reasons as well as for their additionally recited features.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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